

United States Bankruptcy Court for the:

Northern District of Georgia

Case number (if known): _____

Chapter you are filing under:

- ☐ Chapter 7
☒ Chapter 11
☐ Chapter 12
☐ Chapter 13

☐ Check if this is an
amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. **Debtor's name** DK Properties LLP, a Georgia limited liability partnership

2. **All other names debtor used in the last 8 years** _____
 Include any assumed names, trade names, and *doing business* as names _____

3. **Debtor's federal Employer Identification Number (EIN)** 26-1248273

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>47 Porter Street</u>	<u>PO Box 0</u>
	Number Street	Number Street
	<u>Winder</u> <u>GA</u> <u>30680</u>	<u>Winder</u> <u>GA</u> <u>30680</u>
	City State ZIP Code	City State ZIP Code
	<u>Barrow County</u>	Location of principal assets, if different from principal place of business
	County	<u>138 Park Ave</u>
		Number Street
		<u>Winder</u> <u>GA</u> <u>30680</u>
		City State ZIP Code

5. **Debtor's website (URL)** _____

6. **Type of debtor**

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor DK Properties LLP, a Georgia limited liability partnership Case number (if known) _____
Name _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☐ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.

See <http://www.naics.com/search/>.

5311

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. *Check all that apply:*

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____
District _____ When _____
MM / DD / YYYY
Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor DK Properties LLP, a Georgia limited liability partnership
Name _____ Case number (if known) _____

11. Why is the case filed in *this* district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property?

Number _____ Street _____

City _____ State _____ ZIP Code _____

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor DK Properties LLP, a Georgia limited liability partnership
Name

Case number (if known) _____

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

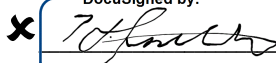
I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 4, 2021

DocuSigned by: MM / DD / YYYY



Signature of authorized representative of debtor

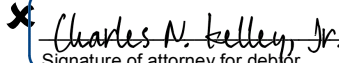
H. David Smith

Printed name

Title Managing Partner

18. Signature of attorney

DocuSigned by:



Signature of attorney for debtor

Date January 4, 2021

MM / DD / YYYY

Charles Kelley

Printed name

Kelley & Clements LLP

Firm name

PO Box 2758

Number Street

Gainesville

City

GA

State

30503

ZIP Code

770-531-0007

Contact phone

ckelley@kelleyclements.com

Email address

412212

Bar number

GA

State

Debtor _____ Case number (if known) _____
First Name Middle Name Last Name

Continuation Sheet for Official Form 201

4) Debtor's Addresses

Mailing

PO Box 0 Attn: H. David Smith Winder,
GA 30680, Barrow County

Fill in this information to identify the case:Debtor name DK Properties LLP, a Georgia limited liability partnershipUnited States Bankruptcy Court for the: Northern District of Georgia

Case number (If known): _____

☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Rug Mill Flooring PO Box 584 Hoschton, GA, 30548		Suppliers or Vendors				3,435.00
2	All-in-1 Home Repair, LLC 121-A West Athens St Winder, GA, 30680		Suppliers or Vendors				3,100.00
3	Classic City Building & Remodeling 108 Jefferson Rd Statham, GA, 30666		Suppliers or Vendors				0.00
4							
5							
6							
7							
8							

Debtor DK Properties LLP, a Georgia limited liability partnership Case number (if known) _____
 Name _____

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

In re:)	Chapter 11
)	
DK PROPERTIES LLP, ¹)	Case No. _____
)	
Debtor.)	
)	

VERIFICATION OF LIST OF CREDITORS
HOLDING 20 LARGEST UNSECURED CLAIMS

I, H. David Smith, the Managing Partner of DK Properties LLP, the Debtor in the above-captioned chapter 11 case, declare under penalty of perjury that I have read the foregoing List of Creditors Holding 20 Largest Unsecured Claims and that it is true and correct to the best of my knowledge.

Date: January 4, 2021

DocuSigned by:

6C86CF5F9B844CE
H. David Smith

¹ The last four digits of the Debtor's federal tax identification number are 8273.

All-in-1 Home Repair, LLC
121-A West Athens St
Winder, GA 30680

American First Federal, Inc.
c/o First Commerce, LLC
PO Box 920
Lake Oswego, OR 97034

Classic City Building & Remodeling
108 Jefferson Rd
Statham, GA 30666

Georgia Department of Revenue
Compliance Division ACRS-Bankruptcy
1800 Century Blvd NE, Suite 9100
Atlanta, GA 30345

Georgia Dept of Revenue
Bankruptcy Section
P.O. Box 161108
Atlanta, GA 30321

H. David Smith
Post Office Box 0
Winder
GA 30680

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101

Kenneth D. Lumpkin
1452 Georgia Club Drive
Statham
GA 30666

Rug Mill Flooring
PO Box 584
Hoschton, GA 30548

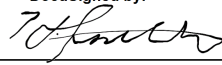
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

In re:)	Chapter 11
)	
DK PROPERTIES LLP, ¹)	Case No. _____
)	
Debtor.)	
)	

VERIFICATION OF CREDITOR MATRIX

I, H. David Smith, the Managing Partner of DK Properties LLP, the Debtor in the above-captioned chapter 11 case, declare under penalty of perjury that I have read the Creditor Matrix submitted by the Debtor in this case and that it is true and correct to the best of my knowledge.

Date: January 4, 2021

DocuSigned by:

 6666CF5F9B844CE.1
 H. David Smith

¹ The last four digits of the Debtor's federal tax identification number are 8273.

United States Bankruptcy Court**IN RE:**

Case No. _____

DK Properties LLP, a Georgia limited liability partnership

Chapter 11**LIST OF EQUITY SECURITY HOLDERS**

Registered name and last known address of security holder	Shares (Or Percentage)	Security Class (or kind of interest)
H. David Smith Post Office Box 0, Winder, GA 30680	50	General partner
Kenneth D. Lumpkin 1452 Georgia Club Drive, Statham, GA 30666	50	General partner

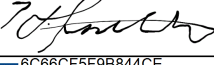
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

In re:)	Chapter 11
)	
DK PROPERTIES LLP, ¹)	Case No. _____
)	
Debtor.)	
)	

DECLARATION REGARDING LIST OF EQUITY SECURITY HOLDERS AND
CORPORATE OWNERSHIP STATEMENT

I, H. David Smith, the Managing Partner of DK Properties LLP, the Debtor in the above-captioned chapter 11 case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date: January 4, 2021

DocuSigned by:

6C66CF5F9B844QE
H. David Smith

¹ The last four digits of the Debtor's federal tax identification number are 8273.